

E-FILED - 4/28/08

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TYRONE YOUNGS,
Plaintiff,

v.

C. W. SPEAKER,
Defendant.

No. C 04-3352 RMW (PR)

ORDER OF DISMISSAL WITHOUT
PREJUDICE

/ (Docket No. 43)

Plaintiff, a state prisoner proceeding pro se, filed the instant civil rights complaint pursuant to 42 U.S.C. § 1983. On February 20, 2008, mail sent to plaintiff by the court was returned to the clerk of the court with a notation that it was undeliverable because plaintiff was no longer in custody and has been paroled. As of the date of this order, plaintiff has not updated his address with the court or submitted any further pleadings in this case.

Pursuant to Northern District Local Rule 3-11 a party proceeding pro se whose address changes while an action is pending must promptly file a notice of change of address specifying the new address. See L.R. 3-11(a). The court may, without prejudice, dismiss a complaint when: (1) mail directed to the pro se party by the court has been returned to the court as not deliverable, and (2) the court fails to receive within sixty days of this return a written communication from the pro se party indicating a current address. See L.R. 3-11(b).

1 More than sixty days have passed since the mail sent to plaintiff by the court was
2 returned as undeliverable. The court has not received any notice from plaintiff updating his
3 address. Accordingly, the instant complaint is DISMISSED without prejudice pursuant to
4 Rule 3-11 of the Northern District Local Rules. The clerk of the court shall terminate all
5 pending motions and close the file.

6 IT IS SO ORDERED.

7 Dated: _____

4/25/08

Ronald M. Whyte

RONALD M. WHYTE
United States District Judge